IN THE HIGH COURT OF JUDICATURE AT BOMBAY

O. O. C. J.

SUMMONS FOR JUDGMENT NO. 202 OF 2007
IN
SUMMARY SUIT NO.1839 OF 2006

Deepak Jajoo ..Plaintiff.
Vs.
Central Railways ..Defendant.
....
Ms. Kunjal Sanghavi i/b K.R. Parekh & Co. for the Plaintiff.
Mr. T.J. Pandian for the Defendant.
....

CORAM: **DR. D.Y. CHANDRACHUD, J.**

5th June, 2007.

P.C. :

The claim in the Summary Suit under Order 37 of the Code of Civil Procedure, 1908 is for the payment of an amount of Rs.80,295/- for tender work executed by the Plaintiff for the Central Railways. The amount claimed in the suit includes interest of Rs.40,545/-. From the affidavit in reply filed by the Deputy Chief Mechanical Engineer it would clearly emerge that there is no defence insofar as the principal sum of Rs.39,750/- is concerned. In the circumstances, the Summons for Judgment is made absolute in the

following terms :

There shall be a decree as prayed in the amount of Rs.39,750/-. The Plaintiff will be entitled to interest at the rate of 9% per annum on the aforesaid sum from the date of the suit until payment or realization.